

**Georgia Department of Natural Resources**  
**Environmental Protection Division**

2 Martin Luther King Jr., Dr., Suite 1152 Atlanta, Georgia 30334  
Judson H. Turner, Director  
(404) 656-4713

June 3, 2013

**VIA EMAIL AND US MAIL**

Ms. Gwen Keyes-Fleming  
Regional Administrator  
USEPA Region IV  
61 Forsyth Street  
Atlanta, Georgia 30303

Re: Fort Gillem

Dear Ms. Fleming:

Please accept this letter as our formal request that the decision to list the Fort Gillem site in Forest Park, Georgia on the National Priorities List (NPL) be postponed at this time.

As you are aware, we have had several recent discussions with Army senior staff about the site and our mutual interest in getting the site remediated as quickly as possible, thus allowing its further development and reuse. From the State's perspective, the outstanding issues we have had with the Army related to the cleanup of Gillem can be grouped into three categories: (1) issues related to investigation of off-site surface and groundwater water contamination and potential vapor intrusion, the Interim Removal Action (IRA) systems and the human exposure risks presented by the Army's present implementation of those actions, (2) issues related to any further contamination on the "FOST" parcels prior to any contemplated transfer and (3) issues related to the schedule for characterization, delineation and final clean-up of the on-site and off-site contamination from the remaining parcels of the site, hereinafter the "FOSET" parcels.

With respect to the issues related to current human exposure pathways and the Army's implementation of the IRA systems, I am hopeful that we have been able to open up a direct line of communication with more senior leadership in the Army chain of command, in particular with Hew Wolfe, which will allow us to quickly resolve the existing disagreements over the Army's investigation of specific site contamination areas as well as improvements in the operation of certain elements of the IRA systems. Continued improvement of that working relationship will be a key factor in my recommendation to the Governor for concurrence on any future listing of Ft. Gillem on the NPL.

As to concerns expressed by EPA Region IV staff and EPD staff related to the FOST parcels, I understand that the Army has agreed to further testing which will better inform whether those parcels are suitable for transfer. If the FOST parcels are found to be contaminated through the testing performed by the Army and cannot be immediately remediated, those contaminated parcels should be removed from the FOST and incorporated into the FOSET. I have discussed the risks of the transfer of the FOST parcels with the Forest Park LRA prior to a full understanding of the contamination on those parcels. I trust that the LRA and local leadership will not move forward with the transfer of those parcels until they have a better understanding of the condition of the FOST parcels and mechanisms in place to protect them from financial exposure.

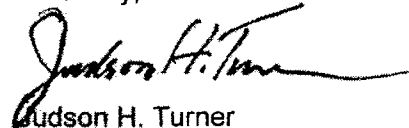
Lastly and perhaps most directly related to the NPL question, let me be clear about the State's position on the delineation and clean-up of the FOSET parcels. Rather than committing to a cohesive investigation, the Army has pursued an incremental approach, which has taken an inordinate amount of time. This approach has contributed to the challenges we have faced in dealing with each other over issues related to potential human exposure.

Given this historical friction and in an effort to achieve more progress in the clean-up of the site, I will not recommend concurrence with the transfer of the FOSET parcels until we have more assurance regarding the remediation that will be undertaken on the FOSET parcels. Moreover, given the overarching challenges that we have had with the cooperation in the cleanup to date, not only will I not recommend that the Governor concur with the transfer of the FOSET parcels, I would support listing the site on the NPL.

There are two ways to give the State assurance sufficient for me not to recommend NPL listing. The first is for the Army to enter into an enforceable instrument, presumably a consent order, with the State of Georgia covering the necessary schedule characterization, delineation and clean up. The second, the State's preferred method, is for the Army to agree to transfer the property to the local LRA pursuant to an environmental services cooperative agreement (ESCA) with the LRA. Negotiating an ESCA will necessitate that the issues related to characterization, delineation and clean-up, especially of the off-site groundwater plumes, be negotiated out with the local LRA, instead of perpetually being reserved for later debate and negotiation. The State of Georgia would then receive its necessary assurances through a consent order with the LRA.

We believe that a consent order with the Army or an appropriate ESCA between the Army and the local LRA, with a consent order between the local LRA and the State, can be fully negotiated and executed within the next 6 months. If neither of these actions occur before December 31, 2013, I would support listing on the NPL and recommend to Governor Deal that he concur in the NPL listing.

Sincerely,

A handwritten signature in black ink, appearing to read "Hudson H. Turner", with a long, sweeping horizontal line extending to the right.

Hudson H. Turner  
Director

cc: Hershell E. Wolfe